In the High Court of Judicature at Madras

Dated:24.08.2006

Coram:

The Hon'ble Mr. Justice P. SATHASIVAM
and
The Hon'ble Mr. Justice S. MANIKUMAR

Habeas Corpus Petition No.777 of 2006

E. Srinivasan .. Petitioner

vs.

1. The State rep. by
Inspector of Police
B.1 Siva Kanchi Police Station
Kancheepuram.

2. Babu
3.Gopal .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of habeas corpus as stated therein.

For petitioner : Mr. P. Pugalenthi

For respondents : Mr. M. Babu Muthu Meeran
Addl.Public Prosecutor for R.1

ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner by name Srinivasan, has filed this petition seeking direction to the first respondent for production of his wife, viz., S. Jansi Rani and two children viz., Pavithra (aged 3 years) and S. Vignesh (6 months old) from the custody of 2nd and 3rd respondent and set them at liberty.

2. Pursuant to the direction of this Court, the detenue S. Jansi Rani, appeared before us. We enquired her. According to her, she is 23 years old and in the year 2001, she married the petitioner. She also informed us that due to ill-treatment of the petitioner, she left his company and presently living with her mother at her volition. She further asserted that she is not under the illegal

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custody of anyone, including her mother and prefers to stay with her mother.

Taking note of the fact that the detenue being a major and in the light of the grievance expressed by her, we are satisfied that she is not under the illegal custody of anyone, including respondents 2 and 3. Accordingly, she is free to decide her future. The petitioner is at liberty to approach the appropriate forum to vindicate his grievance if any. With the above observation, this petition is closed.

Kh

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1.The Inspector of Police
B.1 Siva Kanchi Police Station
Kancheepuram.

2.The Public Prosecutor,
High Court, Madras.

1 cc to Mr.P.Pugalenthi, Advocate, SR.38727

ra (co)

dv/30.8.06

Order in
H.C.P.No.777 of 2006

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